IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

THURSDAY, THE 11TH OCTOBER 2007 / 19TH ASWINA 1929

Crl.MC.No. 3097 of 2007()

CRIME NO. 266/07 OF MATHILAKAM POLICE STATION

PETITIONER: ACCUSED:

K. RAGHU, AGED ABOUT 35 YEARS,
S/O.T.P.KRISHNAN, 'SREERAM', B BLOCK, NEW 17
NANDAMUNI STREET, NADUVANKARAI, ANNA NAGAR,CHENNAI

BY ADV. SRI.G.HARIHARAN

RESPONDENTS: STATE & COMPLAINANT:

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1. STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

2. SUB INSPECTOR OF POLICE,
MATHILAKAM POLICE STATION, KODUNGALLUR TALUK,
THRISSUR DISTRICT.

BY PUBLIC PROSECUTOR SRI. M.S. BREEZ

THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION ON 11/10/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R. BASANT, J.

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Crl.M.C.No. 3097 of 2007

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Dated this the 11th day of October, 2007

O R D E R

The petitioner faces allegations in a crime registered for offences punishable, inter alia, under Section 498A I.P.C. Investigation is in progress. Apprehending arrest, the petitioner sought directions under Section 438 Cr.P.C. from the High Court of Madras. The petitioner was granted anticipatory bail as per order dt.12.7.07. That order of anticipatory bail was to remain in force for a period of four weeks. In the mean time, the petitioner was directed to appear before the court having jurisdiction and seek appropriate orders. The petitioner has not appeared before the learned Magistrate having jurisdiction till now. The petitioner came to this Court with an application and by order dt. 30.7.07 in B.A. 4616 of 2007 the said petition was dismissed.

2. The petitioner even now has not surrendered before the learned Magistrate. He has again come to this Court with this petition.

3. What is the prayer? The learned counsel for the petitioner prays that the learned Magistrate may be directed to consider his

application for bail on merits, in accordance with law and expeditiously on the date of surrender itself. I have already stated in the order dt. 30.7.07 that the petitioner's application for bail must be considered on merits, in accordance with law and expeditiously. I do not think that any further or specific orders are necessary in the matter. The petitioner, inspite of opportunity having been given, has not surrendered before the Magistrate so far. The petitioner must immediately surrender before the learned Magistrate and seek regular bail in the ordinary course.

4. This Crl.M.C. is accordingly dismissed.

(R. BASANT)
Judge

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